

## § 2011.207

she determines that such action or actions is necessary to ensure the effective operation of the quota for specialty sugars or determines that the importer has failed to comply with the requirements of this subpart.

(b) *Reinstatement.* The Certifying Authority may reinstate or restore any certificate which was previously suspended, revoked, modified or otherwise limited under the authority of this section.

(c) The determination of the Certifying Authority under paragraph (a) that the importer has failed to comply with the requirements of this subpart may be appealed to the Director, Import Policy and Trade Analysis Division, Foreign Agricultural Service (FAS), U.S. Department of Agriculture, Washington, DC 20250, within 30 days from the date of suspension or revocation. The request for reconsideration shall be presented in writing and shall specifically state the reason or reasons why such determination should not stand. The Director shall provide such person with an opportunity for an informal hearing on such matter. A further appeal may be made to the Administrator, FAS, U.S. Department of Agriculture, Washington, DC 20250, within five working days of receipt of the notification of the Director's decision. The Certifying Authority may take action under paragraph (b) during the pendency of any appeal.

[55 FR 40648, Oct. 4, 1990, as amended at 61 FR 26785, May 29, 1996]

### § 2011.207 Suspension of the certificate system.

(a) *Suspension.* The U.S. Trade Representative may suspend the provisions of this subpart whenever he or she determines that the quota is no longer in force or that this subpart is no longer necessary to implement the quota. Notice of such suspension and the effective date thereof shall be published in the FEDERAL REGISTER.

(b) *Reinstatement.* The U.S. Trade Representative may at any time reinstate the operation of this subpart if he or she finds that the conditions set forth in paragraph (a) of this section no longer apply. Notice of such reinstatement and the effective date thereof

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shall be published in the FEDERAL REGISTER.

(c) *Transitional provisions.* In the case of any suspension or reinstatement of the certificate system established by this subpart, the Certifying Authority may prescribe such additional guidelines, instructions, and limitations which shall be applied or implemented by appropriate Customs officials in order to ensure an orderly transition.

[55 FR 40648, Oct. 4, 1990, as amended at 61 FR 26785, May 29, 1996]

### § 2011.208 Paperwork Reduction Act assigned number.

The Office of Management and Budget (OMB) has approved the information collection requirements contained in the regulations in this subpart in accordance with 44 U.S.C. Chapter 25 and OMB control number 0551–0014 has been assigned with corresponding clearance effective through April 30, 1997.

[61 FR 26785, May 29, 1996]

## PART 2012—IMPLEMENTATION OF TARIFF-RATE QUOTAS FOR BEEF

Sec.

2012.1 Purpose.

2012.2 Definitions.

2012.3 Export certificates.

AUTHORITY: Proclamation No. 6763; sec. 404, Pub. L. 103–465, 108 Stat. 4809.

SOURCE: 60 FR 15230, Mar. 23, 1995, unless otherwise noted.

### § 2012.1 Purpose.

The purpose of this part is to provide for the implementation of the tariff-rate quota for beef established as a result of the Uruguay Round Agreements, approved by the Congress in section 101 of the Uruguay Round Agreements Act (Pub. L. 103–465). In particular, this part provides for the administration of export certificates where a country that has an allocation of the in-quota quantity under the tariff-rate quota has chosen to use export certificates.

### § 2012.2 Definitions.

Unless the context otherwise requires, for the purpose of this subpart, the following terms shall have the meanings assigned below.

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(a) *Beef* means any article classified under any of the subheadings of the HTS specified in additional U.S. note 3 to chapter 2 of the HTS.

(b) *Allocated country* means a country to which an allocation of a particular quantity of beef has been assigned under additional U.S. note 3 to chapter 2 of the HTS.

(c) *Enter* means to enter, or withdraw from warehouse, for consumption.

(d) *HTS* means the Harmonized Tariff Schedule of the United States.

(e) *Participating country* means any allocated country that USTR has determined is, and notified the U.S. Customs Service as being eligible to use export certificates.

(f) *USTR* means the United States Trade Representative or the designee of the United States Trade Representative.

### § 2012.3 Export certificates.

(a) Beef may only be entered as a product of a participating country if the importer makes a declaration to the Customs Service, in the form and manner determined by the Customs Service, that a valid export certificate is in effect with respect to the beef.

(b) To be valid, an export certificate shall:

(1) Be issued by or under the supervision of the government of the participating country;

(2) Specify the name of the exporter, the product description and quantity, and the calendar year for which the export certificate is in effect;

(3) Be distinct and uniquely identifiable; and

(4) Be used in the calendar year for which it is in effect.

## PART 2013—DEVELOPING AND LEAST-DEVELOPING COUNTRY DESIGNATIONS UNDER THE COUNTERVAILING DUTY LAW

AUTHORITY: Section 267, Pub. L. 103-465; 108 Stat. 4915 (19 U.S.C. 1677(36)).

### § 2013.1 Designations.

In accordance with section 771(36) of the Tariff Act of 1930, as amended, 19 U.S.C. 1677(36), imports from members of the World Trade Organization are

subject to *de minimis* standards and negligible import standards as set forth in the following list:

De Minimis=3%; Negligible Imports=4%; Section 771(36)(B):

Angola  
Bangladesh  
Benin  
Bolivia  
Burkina Faso  
Burma  
Burundi  
Cameroon  
Cent. Afr. Rep.  
Chad  
Congo  
Côte d'Ivoire  
Dem. Rep. of the Congo  
Djibouti  
Egypt  
Gambia  
Ghana  
Guinea  
Guinea-Bissau  
Guyana  
Haiti  
India  
Indonesia  
Kenya  
Lesotho  
Madagascar  
Malawi  
Maldives  
Mali  
Mauritania  
Mozambique  
Nicaragua  
Niger  
Nigeria  
Pakistan  
Rwanda  
Senegal  
Sierra Leone  
Solomon Isl.  
Sri Lanka  
Tanzania  
Togo  
Uganda  
Zambia  
Zimbabwe

De Minimis=2%; Negligible Imports=4%;

Section 771(36)(A):

Antigua & Barbuda  
Argentina  
Bahrain  
Barbados  
Belize  
Botswana  
Brazil  
Chile  
Colombia  
Costa Rica  
Dominica  
Dominican Republic  
Ecuador